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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,
v.

CHRISTOPHER WAGNER,
Defendant.

NO. 3:21-mj-71960

**STIPULATION TO CONTINUE
PRELIMINARY HEARING AND
EXCLUDE TIME FROM MARCH 25
TO APRIL 29, 2022 AND [PROPOSED]
ORDER**

The above-captioned case is currently scheduled for a preliminary hearing on **March 25, 2022**, at 12:00 noon. The government has provided defense counsel with discovery. Given the nature and volume of the discovery, as well as the unavailability of undersigned defense counsel, who is currently on trial, the parties would like to continue the hearing to **April 29, 2022**. Accordingly, the parties hereby stipulate and agree to continue the matter until **April 29, 2022**, to allow additional time for the parties to engage in discussions about potential resolution prior to Indictment, and for defense to review discovery. Believing such discussions to be in the interests of justice, the parties represent that good cause exists and therefore agree to extend the deadlines for a

1 preliminary hearing under Rule 5.1(d) of the Federal Rules of Criminal Procedure and exclude time
2 under the “Speedy Indictment” provisions of the Speedy Trial Act. *See* 18 U.S.C. § 3161(b).
3 Accordingly, the parties hereby stipulate and agree to a new hearing date on **April 29, 2022**, for
4 preliminary hearing or arraignment before the Duty Magistrate Judge. The parties also stipulate and
5 agree to request that the time between **March 25, 2022** and **April 29, 2022**, be excluded to facilitate
6 discussions related to resolution prior to Indictment pursuant to 18 U.S.C. § 3161(h)(7).
7

8 IT IS SO STIPULATED.

9 DATED: March 21, 2022

/s/

KENNETH CHAMBERS

Assistant United States Attorney

12 DATED: March 21, 2022

/s/

DANIEL BLANK

Counsel for Defendant Christopher Wagner

[PROPOSED] ORDER

The above-entitled matter is currently scheduled for preliminary hearing on **March 25, 2022**, at noon. The parties are requesting a continuance until **April 29, 2022**. The parties are seeking this continuance in order to engage in discussions about potential resolution of this matter prior to Indictment. With the consent of the United States, and taking into account the public interest in the prompt disposition of criminal cases, the court sets the preliminary hearing to the date set forth below, and based on parties' showing of good cause, finds good cause for extending the time limits for a preliminary hearing under Federal Rule of Criminal Procedure 5.1 and for extending the 30-day time period for an indictment under the Speedy Trial Act (based on the exclusions set forth above). *See* Fed. R. Crim. P. 5.1; 18 U.S.C. § 3161(b).

The parties have agreed to waive and exclude time for the preliminary hearing under the Speedy Trial Act. The government has no objection to this proposed continuance. Therefore, for good cause shown the hearing currently scheduled on **March 25, 2022** shall be vacated. The matter shall be continued until **April 29, 2022**. The time shall be excluded from the running of the speedy trial clock for effective preparation of counsel under U.S.C. § 3161(h)(7).

IT IS SO ORDERED.

Dated: _____

By: _____
HON. SALLIE KIM
UNITED STATES MAGISTRATE JUDGE